

# Chapter 6

## The Values Demonstrated in the Constitution of the People's Republic of China

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### 6.1 Introduction

Science and technology are among the most important factors that have shaped modern society. They also have a direct bearing on the orientation of social development and even the prospects of mankind. 'Where is society heading?' and 'What kind of life should mankind live?' are both questions pertaining to the appraisal of happiness in life: namely, what kind of life is happy and wonderful? Judgment on the pursuit of life is, in essence, a matter of values. Therefore values should be employed to guide, promote and constrain the direction in which science and technology develop.

As the primary law of a state, a constitution is the fundamental rule for reigning in state behaviour and regulating relations between the state and its people. Therefore the values reflected in the constitution are codified in the form of primary law and offer important guidance for making laws and policies and regulating the actions of the government. An analysis of the values in the Chinese Constitution will help us better understand and judge current events and policies concerning science and technology in China and form a clearer picture of ethical issues.

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The first Constitution of the People's Republic of China was promulgated in 1954, and another two versions were drafted in 1975 and 1978 respectively. The year 1982 saw a fourth version, which is the Constitution now in force. This version underwent revisions in 1988, 1993, 1999 and 2004. These continuous revisions are evidence of efforts made to adapt the Constitution to new situations and conditions.

In effect, the values in the Constitution are rooted in society. So, before focusing on the values in the Chinese Constitution, it is helpful to review the value system in Chinese society with a view to gaining a better understanding of constitutional values.

## **6.2 Major Sources and Elements of the Value System in Modern China**

Chinese culture can be traced back thousands of years and has experienced several major transformations in this long process of evolution. The Yin Dynasty (about 1556–1046 BC) is considered to be the beginning of Chinese civilization. In the Spring and Autumn Period and the Period of Warring States (771–221 BC), Chinese civilization reached its first golden age, with a hundred different schools of thought contending for intellectual superiority. It was an era of Chinese history that produced a galaxy of great thinkers and philosophers. However, the order by Emperor Shihuang in the Qin Dynasty (221–206 BC) to burn books and kill scholars caused a serious setback in the evolution of Chinese culture.

Later, in the Han Dynasty (206 BC–220 AD), Emperor Wu carried out a policy of proscribing all non-Confucian schools of thought and espousing Confucianism as the orthodox state ideology, which established the Confucian classics as the dominant intellectual discipline in Chinese society. In this era of Confucian dominance, the intensive philosophical debate seen in the Hundred Schools era disappeared from society. Indian Buddhism was introduced into China in the middle of the Han Dynasty, and steadily expanded its influence during the Jin Dynasty (265–420 AD) and the Southern and Northern Dynasties (420–589 AD). Then Confucianism, Buddhism and Taoism emerged as equally dominant in the Sui (581–618 AD) and Tang dynasties (618–907 AD).

In the Northern Song Dynasty (960–1127 AD), neo-Confucianism ascended to the intellectual stage. Scholars of this school heavily criticized Buddhist and Taoist teachings, and brought Confucianism back to the centre. As a result, the Southern Song (1127–1279 AD), Ming (1368–1644 AD) and Qing (1616–1911 AD) dynasties were known as the neo-Confucianism era.

In the late Ming Dynasty, European missionaries started coming to China, which facilitated cultural exchanges between China and Western civilizations. In the middle of the Qing Dynasty, the Opium War plunged the Chinese nation into

a grave crisis, and some progressive elements started seeking solutions from the West to save the country from total collapse, which set the stage for the beginning of a new era of learning from the West (Zhang 2004).

This prolonged process of cultural evolution has shaped the diverse, complex and conflicting values of Chinese society today. Based on the historical background, the value system has three parts: traditional Chinese values, Western values imported since 1840, and new values grown in contemporary Chinese society.

### ***6.2.1 The Traditional Values of China***

The tripartite culture of Confucianism-Buddhism-Taoism, with Confucianism dominant, comprises traditional Chinese values. These values take an individual as the basis of value judgment and focus on the moral cultivation of an individual, extending from the self to others, from an individual to a family, and from a group to a state and even the whole world. What is elaborated in the Confucian classic *The Great Learning*—from individual cultivation to familial regulation, governance by the state and universal tranquility and happiness—is only an ideal description of the lifetime accomplishments of an individual in Confucianism.

Confucianism regards virtue (*ren*) as the general principle guiding people's ethics, and embraces wisdom, courage, filial piety, brotherhood, loyalty, integrity, humility, tolerance, ingenuity, kindness and respect as the ethical codes for constraining behaviour. It underlines the different social status of the emperor, the official, the father, the son, the husband and the wife, and the importance of abiding by the moral principles and standards that exhort the son to love the father, officials to stay loyal to the emperor, the wife to follow the orders of the husband, the young to respect the elder, and friends to treat each other with honesty. Taoism, on the other hand, advocates the principle of inaction and urges people to endure humiliation, lower social status and a position of weakness, stay out of conflict, cherish life, maintain purity and refrain from making moral judgments (Jiao 1993).

### ***6.2.2 Western Values Imported Since 1840***

In the process of global modernization, a number of concepts and ideas came to China gradually. A series of reforms and revolutions after 1840 allowed Western religions, science and technology, and political concepts of democracy and freedom, and Marxism to exert an immense influence on intellectual elites and the public in China (Zhu 2002: 304). Over one to two hundred years, an affinity for Western science and technology, the ideology of freedom, equality, and affluence, and the concepts of rights and legal awareness has taken root in Chinese society and constitutes an important criterion for value judgments by the public.

### ***6.2.3 New Values Grown in Contemporary Chinese Society***

New values have grown in contemporary China under the new social conditions of building a socialist market economy towards independence and rejuvenation. On one hand, the pursuit is towards the socialist ideal of national development, common prosperity, social harmony and improved quality of life; on the other, it focuses on the philosophy of the market economy, featuring individual achievements and fair competition. These two aspects stand in conflict yet have common grounds, such as the pursuit of economic development. Consequently, developing the economy has become the most essential discourse in contemporary China.

Meanwhile, along with economic development, unintended consequences such as environmental risks and social inequality have undergone adjustment and integration by other elements of values to form the concept of sustainable development. Sustainable development as a moral concept emphasizes development not just in the economy but also in society, science, culture and the environment; it expresses equity among generations and within one generation; and it calls for respecting nature, learning from nature, protecting nature and living in harmony with nature (Zhu 2002: 144).

## **6.3 The Basis of Values in the Chinese Constitution**

The value system in modern China provides a backdrop against which the values in the Chinese Constitution can be understood. As the fundamental law of the People's Republic of China, the Constitution defines the regime, which builds the foundation for the values to rest upon.

Article 1 of the General Principles of the Chinese Constitution clearly stipulates that:

The People's Republic of China is a socialist state under the people's democratic dictatorship led by the working class and based on the alliance of workers and peasants. The socialist system is the basic system of the People's Republic of China. Sabotage of the socialist system by any organization or individual is prohibited.

Since China is a socialist country practising a socialist economic system, the relationships between the state and society and between the state and citizens reflected in the Constitution are different from those in countries with capitalist economic systems. Socialism pursues the collective interests of society (Chen et al. 2011). Its manifestations in the Constitution include not only the obligations of the state in social and economic life, such as developing education, the economy, culture and science, and building socialist ethics and ideas, but also the principle of democratic centralism that calls upon the minority to follow the majority in decision-making.

Such an emphasis on collective interests is highly consistent with the focus on community interests in China's traditional moral values. The only difference is that the concept of community in traditional Chinese culture is a concentric

structure of interpersonal relations with each and every individual at its core (Fei 1998),<sup>1</sup> whereas the collective interests defined by socialism have moved beyond the boundary of individuals or individual relations.

Article 3 of the General Principles of the Chinese Constitution states:

The state organs of the People's Republic of China apply the principle of democratic centralism.

The socialist system and the emphasis on collective interests constitute the basis for understanding the values embodied in the Chinese Constitution.

## 6.4 The Key Values in the Chinese Constitution

### 6.4.1 Progress

'Progress' refers to the process from the beginning to the aim, or from the elementary to the higher stage in a given linear history. According to the Marxist theory of social development, human history goes through stages: primitive society, slave society, feudal society and capitalist society, and then socialist society and communist society, as a result of constant progress in the motion of contradictions between productive forces and relations of production (Shao 1993).

The value of progress finds expression in Marxist theories as well as in the Constitution of the new republic, which is greatly influenced by Marxism. A large part of the preamble is devoted to the history of the progress of modern and contemporary China. It is thus easy to understand why the concept of progress holds a position of importance in Chinese society.

A measure of progress is the overall situation of society, including material, political and spiritual civilization. Economic development occupies a primary position here, because the economic foundation underpins the superstructure, and economic development is the necessary condition and guarantee for other social developments. Economic development depends on improved productive forces, while the major driver of productive forces is the development of science and technology.

Article 14 of the General Principles of the Chinese Constitution states:

The state continuously raises labour productivity, improves economic results and develops the productive forces by enhancing the enthusiasm of the working people, raising the level of their technical skill, disseminating advanced science and technology ...

In other words, to improve productivity and the development of productive forces in society, it is necessary to popularize knowledge of and skills in advanced science and technology. In fact, enthusiasm and support for scientific progress serve as manifestations of the importance of this concept of value.

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<sup>1</sup> Xiaotong Fei termed interpersonal relations of this type *cha xu ge ju*, which can be translated as 'the differential mode of association' or 'social egoism'.

### 6.4.2 Affluence

‘Affluence’ means having adequate possessions and occupying a concomitantly superior position. Affluence is one goal-orientation of progress. The affluence pursued in China covers:

- the modernization drive regarding industry, agriculture, national defence, and science and technology;
- the advanced development of education, science, and culture;
- higher living standards of the people; and
- China’s independence and self-reliance among the countries of the world.

In China today, the value of affluence is embodied at national level, in the pursuit of an independent, wealthy and strong nation standing confidently among all the nations of the world, and at the level of individual livelihood, in the pursuit of a higher level of material and spiritual wellbeing. From transcending basic subsistence to achieving a better-off society, to the pursuit of the rejuvenation of the Chinese nation, all serves to prove the overwhelming momentum of the value of ‘affluence’.

Articles 19 and 20 of the General Principles of the Chinese Constitution state:

The state develops socialist educational undertakings and works to raise the scientific and cultural level of the whole nation ... The state promotes the development of the natural and social sciences, disseminates scientific and technical knowledge, and commends and rewards achievements in scientific research as well as technological discoveries and inventions.

It is clear from these provisions that China values science and encourages innovation. In today’s world, where science has become an overwhelming culture, a high level of science and education is no doubt a manifestation of affluence. Moreover, a high level of scientific development can advance technical invention and innovation and thus substantially enrich the material life of people. To become an independent, wealthy, modernized nation, it is imperative that China should possess solid strengths in terms of science and technical invention and innovation.

### 6.4.3 Peace and Safety

The value of peace and safety (*ping an*) is of immense influence in traditional Chinese society. For individuals, ‘peace and safety’ refers to good health and wellbeing in daily life, free from illness and calamity. In ancient times there were prayers on festive days for peace and safety each year (*sui sui ping an*); today there are wishes to friends and relatives to be safe and sound both at home and outside (*chu ru ping an*). Thus peace and safety have been a most basic pursuit of the Chinese people in everyday life over thousands of years.

Article 21 of the General Principles of the Chinese Constitution states:

The state develops medical and health services, promotes modern medicine and traditional Chinese medicine, encourages and supports the setting up of various medical and

health facilities by the rural economic collectives, state enterprises and undertakings and neighbourhood organizations, and promotes sanitation activities of a mass character, all to protect the people's health ...

The advocacy of people's health in the General Principles of the Constitution and the stipulation that medical and health services are important to the country demonstrate the important position of health and hygiene in China while reflecting, from another perspective, one aspect of the pursuit of the value of peace and safety.

#### **6.4.4 Harmony**

Harmony is another value that has existed in traditional Chinese society since time immemorial. Harmony envisages a state of coexistence, mutual help and mutual benefit, coordination and cooperation among multiple elements. To quote two old proverbs: 'a family in harmony finds everything in good order' (*jia he wan shi xing*) and 'fortune favours those in harmony' (*he qi sheng cai*). These sayings demonstrate that the concept of harmony is closely related to the everyday life of the general public and is an important prerequisite for becoming prosperous and affluent in life. Harmony is deeply rooted at all levels and in every aspect of life of the Chinese general population. That is why this value has survived and thrived up to the present, becoming part of the national pursuit of building a harmonious society in present-day China.

According to a speech made in February 2005 by Mr Hu Jintao, the then President of the People's Republic of China, the six features of a harmonious society are democracy and the rule of law, fairness and justice, integrity and friendliness, vigour and drive, peace and order, and harmony between man and nature (Qin 2006). In particular, the harmonious state of man and nature echoes the traditional Chinese belief in 'heaven and man in one'. This philosophy describes man and nature as an integrated whole, coordinated and in harmony, which is different from the Western cultural concept that man and nature are contradictory, one being active and the other passive. The Chinese idea is a philosophical one typical of oriental cultures (Zhu 2002: 325). In these terms the harmony of man and nature calls for a perspective beyond considering the natural environment as a mere pool of energy and resources: one that approaches environmental issues through perspectives of ecology, coordination and sustainable development.

Article 26 of the General Principles of the Chinese Constitution states:

The state protects and improves the living environment and the ecological environment, and prevents and controls pollution and other public hazards ...

The stipulation of environmental protection and improvement in the fundamental law means that China has grasped the possible problems of modern economic production and the mode of social development; and it also serves as the China's response to these problems amid the pursuit of the value of harmony.

## 6.5 Conclusion

Three streams of values, namely traditional values, Western values and new values established in contemporary Chinese society, converged to build China's current value system. The traditional values were once considered a major obstacle to Chinese modernization that should be amended or even abandoned. For example, the hierarchical values of Confucianism, described above as 'the different social status of the emperor, the official, the father, the son, the husband and the wife', have been replaced by equality among the people. In the Chinese Constitution, Article 4 notes that all nationalities in the People's Republic of China are equal, while Article 48 states that women enjoy equal rights. In recent years, however, there has been a trend towards a return to traditional values in Chinese society. Some key values, for example 'harmony' (*he*), have entered mainstream discourse in Chinese society. Among the Western values and the new values grown in contemporary society, 'scientism' and 'developmentalism' are currently the two most influential discourses in China. The former focuses on the positive function of science and technology, and the latter puts an emphasis on economic development. Therefore the two discourses also have strong impacts on the current value system in China.

The values in the Chinese Constitution outline the core pursuits of Chinese people and form the basis for making policies related to science and technology. China being a socialist country, the Chinese Constitution emphasizes collective interests. Progress, affluence, peace and safety, and harmony are the four values identified in the Chinese Constitution that relate to people's ethical considerations of science and technology development.

In recent years, realizing the importance of solidarity in values, the central government and the Communist Party of China have made a series of efforts to refine and codify the values. The core socialist value system that embodied the spirit of the nation and the time gradually germinated and formed over the period from the 16th national congress of the party in 2002 to the 18th in 2012 (Guo 2014). In September of 2012, the party formally put forward the core socialist values as follows:

Core socialist values are the soul of the Chinese nation and serve as the guide for building socialism with Chinese characteristics ... We should promote prosperity, democracy, civility, and harmony, uphold freedom, equality, justice and the rule of law and advocate patriotism, dedication, integrity, and friendship, so as to cultivate and observe core socialist values (Hu 2012).

The core socialist values echo the values in Chinese Constitution and make them more explicit, so that they are more influential in guiding the government's and the public's activities.

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